

Key Differences Between 116th and 117th Ocean-Based Climate Solutions Act (OBSCA)

The following sections of the [116th OBSCA](#) were signed into law and therefore removed:

- Marine Energy Research (formerly Section 318)
- Digital Coast (formerly Title VII, Subtitle C)
- Integrated Coastal and Ocean Observation System (formerly Title VII, Subtitle D)
- Committee on Ocean Policy (formerly Title XII, Section 1213)

The following sections of the 116th OBSCA were addressed by the Biden administration and therefore removed:

- 30x30 (formerly Title II – some smaller sections on MPA’s remain)
- Reinstate executive order 13754, the Northern Bering Sea Climate Resilience Area (formerly Section 911)

The following changes were made:

- The 117th version includes technical changes provided by NOAA and FWS.
- The 116th version prohibited geological or geophysical activities supporting oil, gas, or methane hydrate exploration and development in any area of the Outer Continental Shelf (OCS). The 117th version will prohibit all activities in the OCS except for the western and central Gulf of Mexico planning areas.
- The 116th version directed the Secretary of the Interior to seek to permit not less than 25 gigawatts of offshore wind energy production by January 1, 2030. The 117th version increases the goal to 30 gigawatts to be in line with the Biden administration’s goals.
- Amended the vessel speed program in Title VII to be less prescriptive and allow for science-based decision-making.
- Condensed the resilience and coastal wetlands sections to remove redundancies, including removing the Coastal Wetlands Title and incorporating it into the Blue Carbon Title.
- Removed and condensed some science provisions (such as ARPA-O and an ocean exploration program) and replaced them with specific scientific efforts, including a research program focused on coastal resilience infrastructure and a program focused on sea-level rise data and tool development.
- Removed Shifting Stocks Task Force section and incorporated it into the climate-ready fisheries innovation program. Added a section that requires a report on shifting stocks and ways to adapt fisheries for the impacts of climate change.
- Made improvements to the Essential Fish Habitat and Habitat Areas of Particular Concern sections based on feedback from fishers, eNGO’s, and the offshore wind industry.
- Made changes to the National Estuarine Research Reserve System to expand the functions and use of the system to address climate change better.
- Added Working Waterfronts Grant Program to the CZMA title.
- Made improvements to the Regional Ocean Partnership section to ensure Tribal consultation and participation takes place.

- Removed ocean acidification language that has already passed out of the House of Representatives this Congress.

The following are new additions:

- Places a 5-cent excise tax on virgin plastic in manufactured single-use products such as packaging, with exemptions for medical products and personal hygiene products. Establishes a Virgin Plastic Trust Fund to receive the funds derived from the excise tax. Directs half of the funds to the general fund and the other half to fund activities in the broader ocean climate legislation.
- Requires NOAA to submit a report to Congress that describes the manner and extent to which the US has made progress towards achieving the targets of the 14th Sustainable Development Goal of the United Nations (relating to conserving and sustainably using the oceans, seas, and marine resources), and plans to achieve those targets.
- Creates a near real-time monitoring and mitigation program for large whales.
- Creates a grant program to support technology that reduces underwater noise from vessels.
- Requires the Department of Defense to write an unclassified report to Congress identifying existing non-classified naval technologies that reduce underwater noise and evaluate the effectiveness and feasibility of incorporating such technologies in the design, procurement, and construction of non-combatant vessels in the United States.
- Requires NOAA to designate institutions of higher education that have shown national leadership in coastal climate change adaptation and mitigation as National Centers of Excellence in Coastal Resilience Research and Education.
- Establishes a new grant program in the National Marine Sanctuary System to support climate research and resilience with Indigenous and local knowledge of marine and natural areas.
- Requires NOAA to develop and coordinate a comprehensive suite of the coastal flood, sea-level rise, Great Lakes water level, and vertical land motion data, products, and services and requires interagency coordination.
- Authorizes the National Academies to conduct a study on black carbon that quantifies the sources of black carbon emissions and examines its effects on Indigenous communities and marine and terrestrial Arctic wildlife.
- Directs NOAA to conduct an analysis of the scale of fishing gear losses by the United States and foreign fisheries, an evaluation of the ecological and human impacts of derelict fishing gear, recommendations on management measures and an assessment of their cost, and an evaluation of the effect of fishing gear loss attributable to foreign countries.
- Authorizes a study by the National Academies to assess public access to the nation's coasts, including the Great Lakes. This study must include the quality and quantity of existing public access points by state, opportunities and barriers for low-income communities, communities of color, Tribal and Indigenous communities, and rural communities, the impacts of sea-level rise and extreme weather, and strategies to prevent the loss of public access.